

Office of Consumer Protection Performance Review

Eric Friedman, Director
9 May 2014

CountyStat Principles

- **Require Data Driven Performance**
- **Promote Strategic Governance**
- **Increase Government Transparency**
- **Foster a Culture of Accountability**



Agenda

- **Review FY13 and FY14 Q1-Q3 Performance**
- **Examine MC311 SLA Performance**
- **Departmental Challenges**



Meeting Goal

- Evaluate OCP's Performance

Desired Outcome

- Improve the Office of Consumer Protection's Services for Montgomery County Residents and Businesses through Data-Driven Decisions



Overview of OCP Budget

Historical Budget And Workforce Overview

	FY09	FY10	FY11	FY12	FY13	FY14	FY15 Recommended
OCP Operating Budget	\$2,708,490	\$2,442,010	\$2,079,200	\$1,948,320	\$2,182,612	\$2,148,716	\$2,256,236
OCP Budget as Percent of Total MCG Budget	.17%	.15%	.14%	.12%	.12%	.12%	.12%
OCP Workyears/ FTE*	21.3	18.5	14.7	14.5	16.0	16.6	16.6
OCP Workears as Percent of Total MCG Workyears	.21%	.19%	.16%	.16%	.17%	.18%	.17%

OCP's operating budget decreased 1.6% between FY13 and FY14. The recommended FY15 budget is a 5% increase over FY14.



*Calculation switched from Work Years to FTEs in FY13 Budget

OCP's Volunteer Staff

	FY07	FY08	FY09	FY10	FY11	FY12	FY13*
MC-OCP Staff Work Years/FTE*	23.3	22.3	21.3	18.5	14.7	14.5	16.0
Number of Volunteers	**	17	17	16	16	21	18
Hours (approximate)	3,307	3,323	2,500	2,600	2,600	2,472	2,500
Converting to FTE	1.6	1.6	1.2	1.2	1.2	1.2	1.2

OCP has been able to recruit skilled volunteers. Many of the volunteers have been with OCP for several years.



*Calculation switched from Work Years to FTEs in FY13 Budget

**Data not provided by OCP

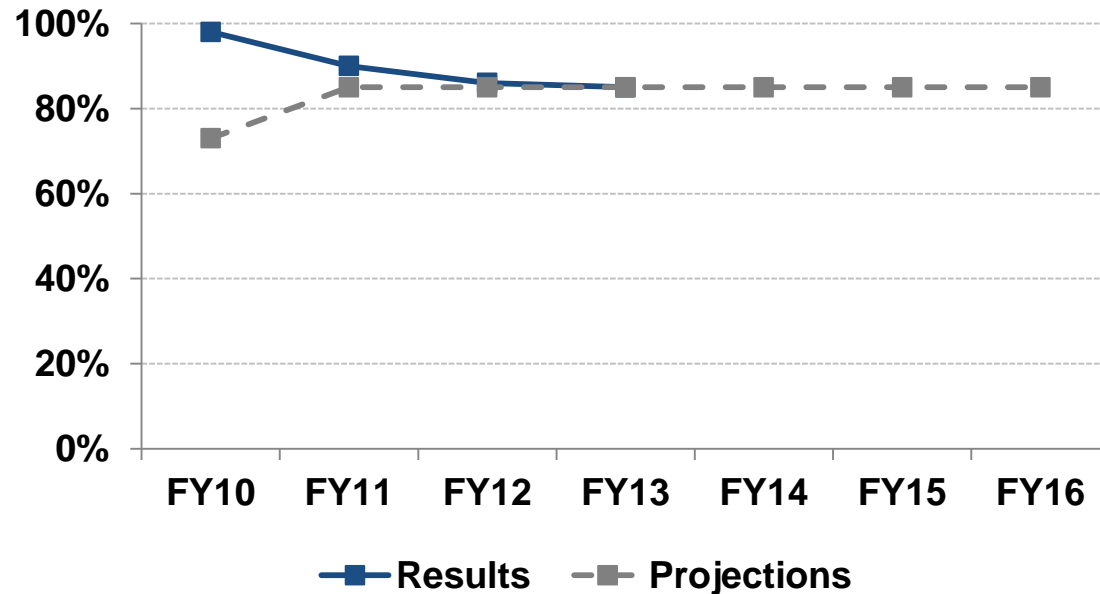
Review of Headline Performance Measures

Overview of FY13 OCP Headline Measure Performance

<u>Headline Performance Measure</u>	<u>FY12 Results</u>	<u>FY13 Results</u>	<u>Performance Change</u>
Restitution received as a percent of restitution asked for by the consumer and validated by the assigned OCP case investigator	86%	85%	↔
Average OCP customer satisfaction rating - Manner in which the customer's case was handled (1-4 scale) based on customer satisfaction survey	3.6	3.4	↓
Average OCP customer satisfaction rating - Outcome of the customer's case (1-4 scale) based on customer satisfaction survey	2.8	3.1	↑
Average time in workdays to investigate and close a written complaint: All complaints	60	68	↓
Percent of OCP-initiated consumer protection cases closed that are resolved by OCP	58%	61%	↑
Percent of Commission on Common Ownership Communities (CCOC) cases resolved prior to a hearing	61%	56%	↓
Media Coverage - Percent of news releases receiving media coverage, including print news, television and radio	100%	94%	↓
Media Coverage - Number of times media outlets, including print news, television and radio, seek out OCP's expertise	42	27	↓



Headline Measure 1: Restitution Received As A Percent Of Restitution Asked For By The Consumer And Validated By The Assigned OCP Case Investigator (1/2)



Factors Restricting Performance Improvement

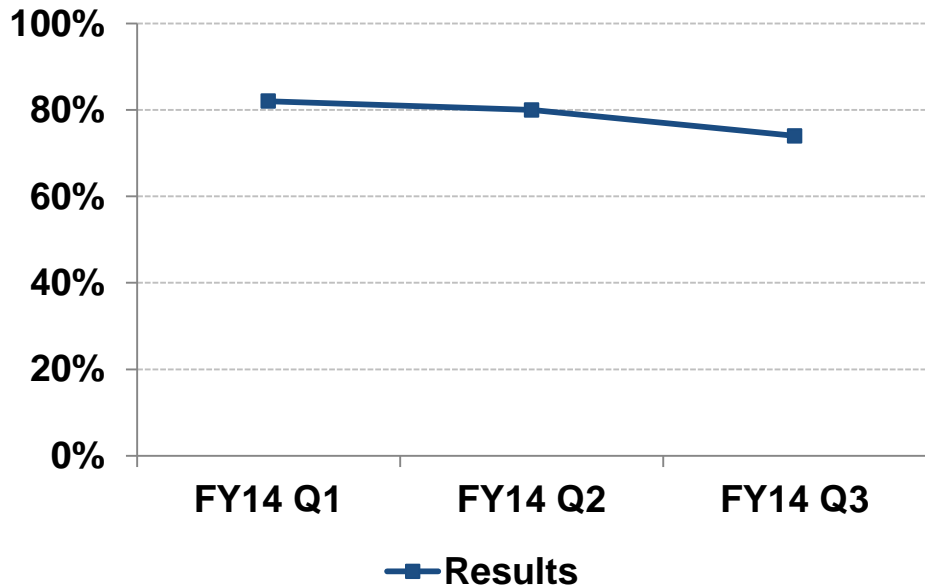
- For certain cases, outcomes cannot be quantified monetarily
- In the continuing downward economy, merchants are not always willing to resolve complaints due to their own limited resources
- Towing cases continue to account for a majority of OCP's case load. The law anticipated that consumers would obtain restitution by going to court.

Performance Improvement Plan

- OCP's administrator will initiate in-house training with investigative staff to reinforce calculation of investigator validated claim amount
- OCP will continue to expand its education efforts of consumers and merchants on relevant laws



Headline Measure 1: Restitution Received As A Percent Of Restitution Asked For By The Consumer And Validated By The Assigned OCP Case Investigator (2/2)

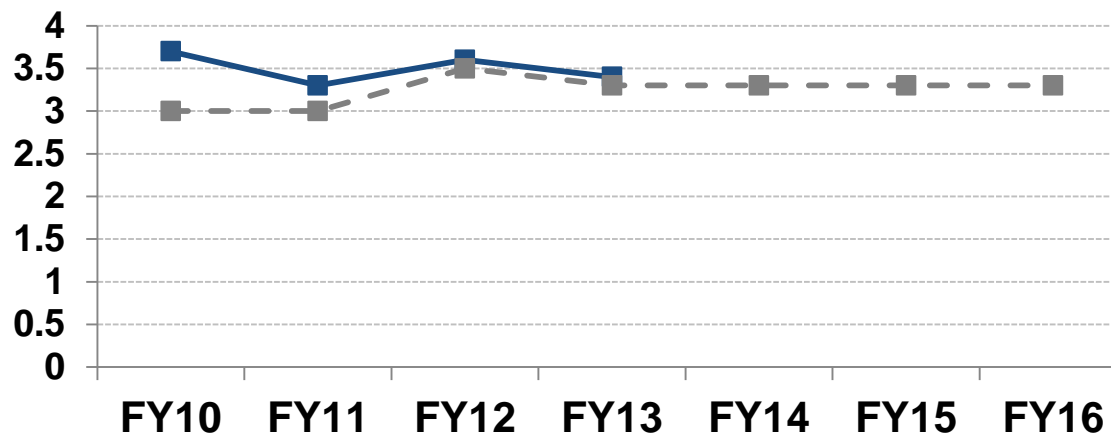


	FY14 Q1	FY14 Q2	FY14 Q3
Results	82%	80%	74%

Restitution received as a percent of restitution asked for by the consumer has been on a slow but steady decline since FY10; it is down 15.3%.



Headline Measure 2: Average OCP Customer Satisfaction Rating - Manner In Which The Customer's Case Was Handled (1-4 Scale, 4=Best)

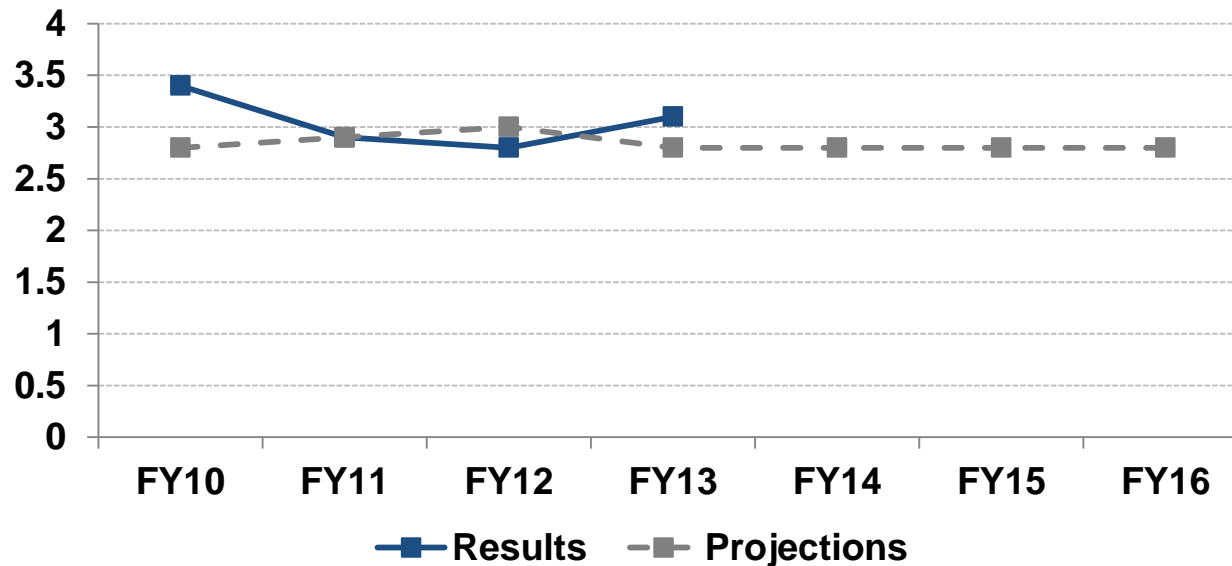


	<div> <div>Results</div> <div>Projections</div> </div>						
	FY10	FY11	FY12	FY13	FY14	FY15	FY16
Results	3.7	3.3	3.6	3.4			
Projections	3.0	3.0	3.5	3.3	3.3	3.3	3.3

OCP's customer satisfaction rating has declined 8% between FY10 and FY13.



Headline Measure 3: Average OCP Customer Satisfaction Rating Outcome Of The Customer's Case (1-4 Scale, 4=Best))

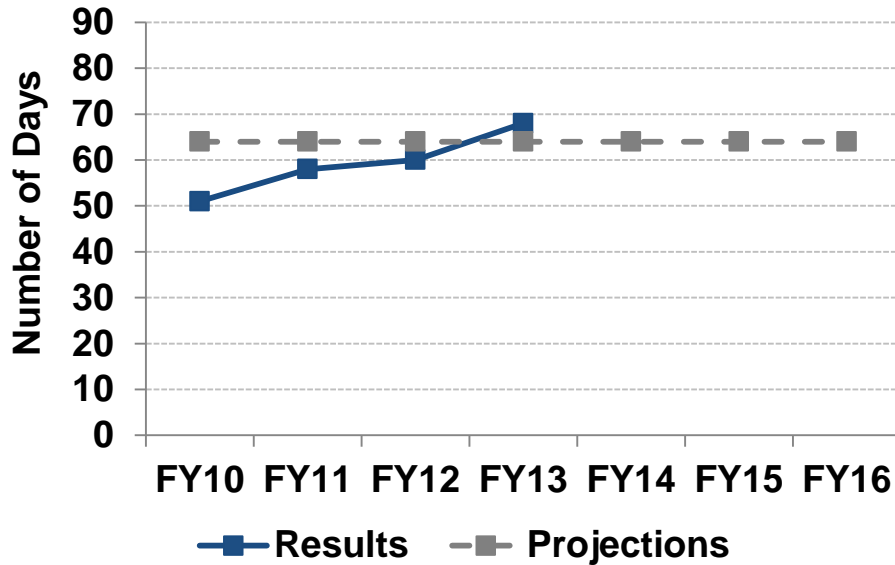


	FY10	FY11	FY12	FY13	FY14	FY15	FY16
Results	3.4	2.9	2.8	3.1			
Projections	2.8	2.9	3.0	2.8	2.8	2.8	2.8

OCP's customer satisfaction rating has declined 9% between FY10 and FY13.



Headline Measure 4: Average Time In Workdays To Investigate And Close A Written Complaint: All Complaints (Non-CCOC) (1/2)



Factors Restricting Performance Improvement

- Merchants continue to experience a decrease in staffing resources, increasing their response time to OCP.
- Complex cases and complaints in which it is difficult to locate the merchant can require extra time to resolve
- Loss of investigators and other staff results in fewer investigators with competing duties. In addition to case work, investigators are on duty on a rotating basis as the "Investigator on Duty" to consult with consumers and merchants via telephone and office visits.
- Expansion of OCP's duties with staff losses also competes with case work.

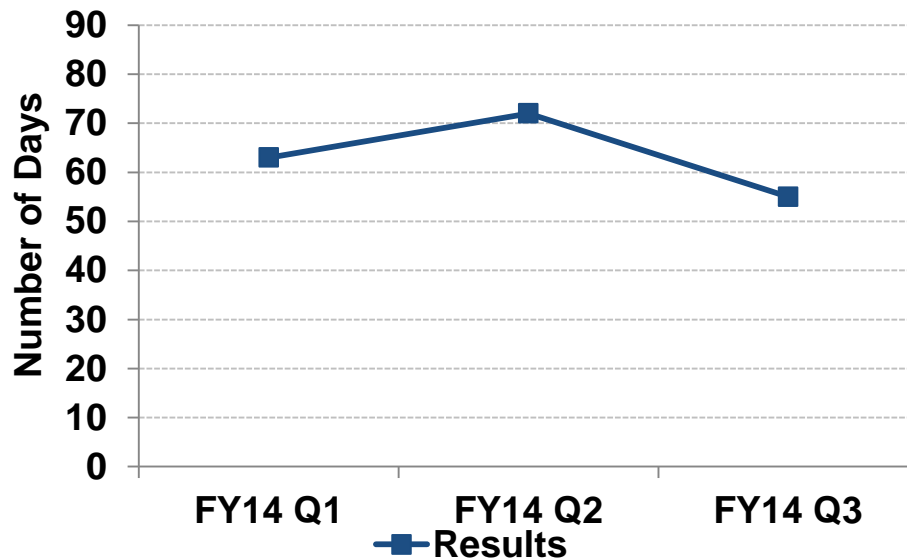
Performance Improvement Plan

- OCP's administrator will conduct monthly individual meetings with investigative staff to review aging cases.

	FY10	FY11	FY12	FY13	FY14	FY15	FY16
Results	51	58	60	68			
Projections	64	64	64	64	64	64	64



Headline Measure 4: Average Time In Workdays To Investigate And Close A Written Complaint: All Complaints (Non-CCOC) (2/2)

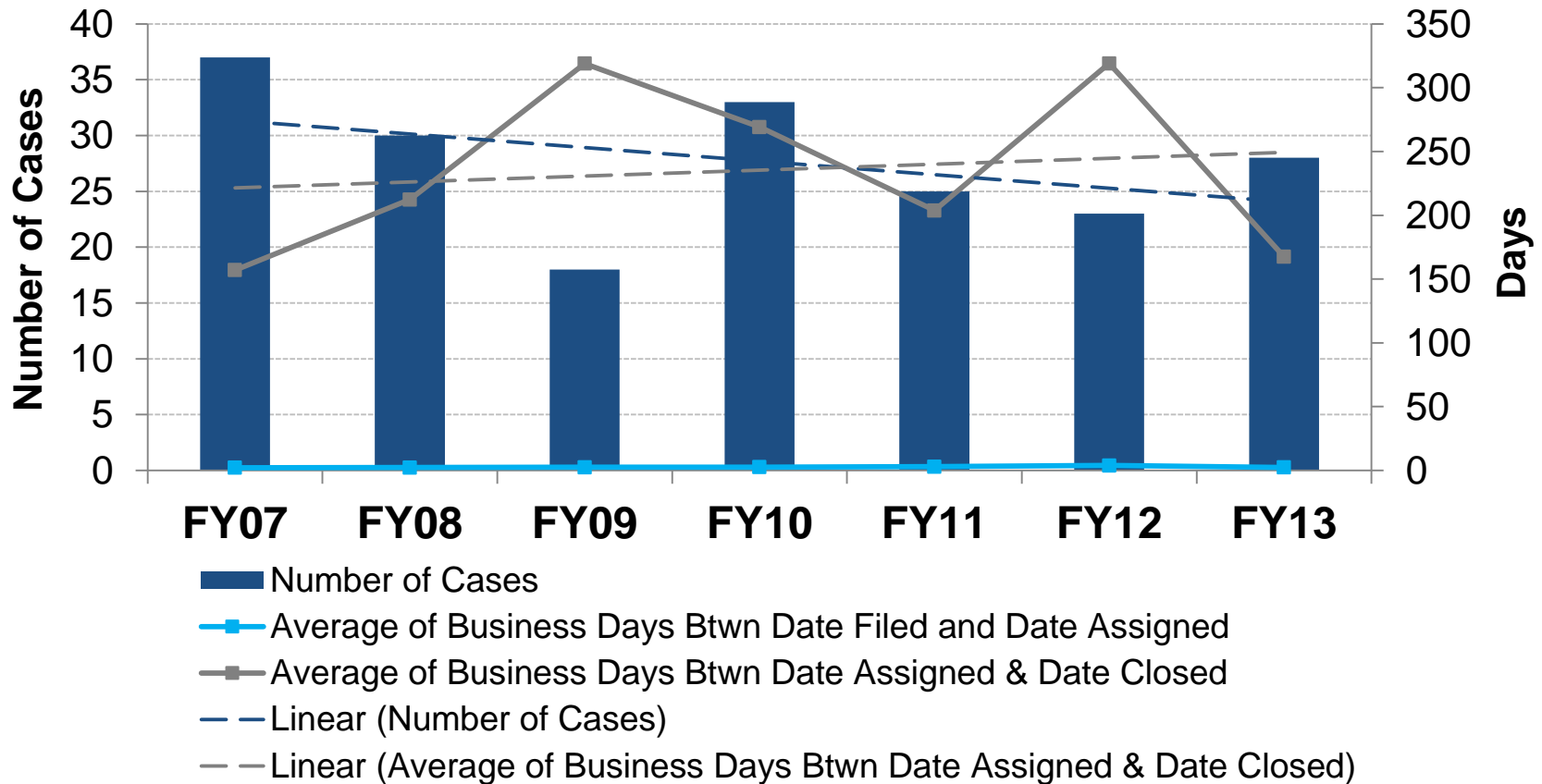


	FY14 Q1	FY14 Q2	FY14 Q3
Results	63	72	55

The average time to investigate and close a written complaint has increased 33% between FY10 and FY13.



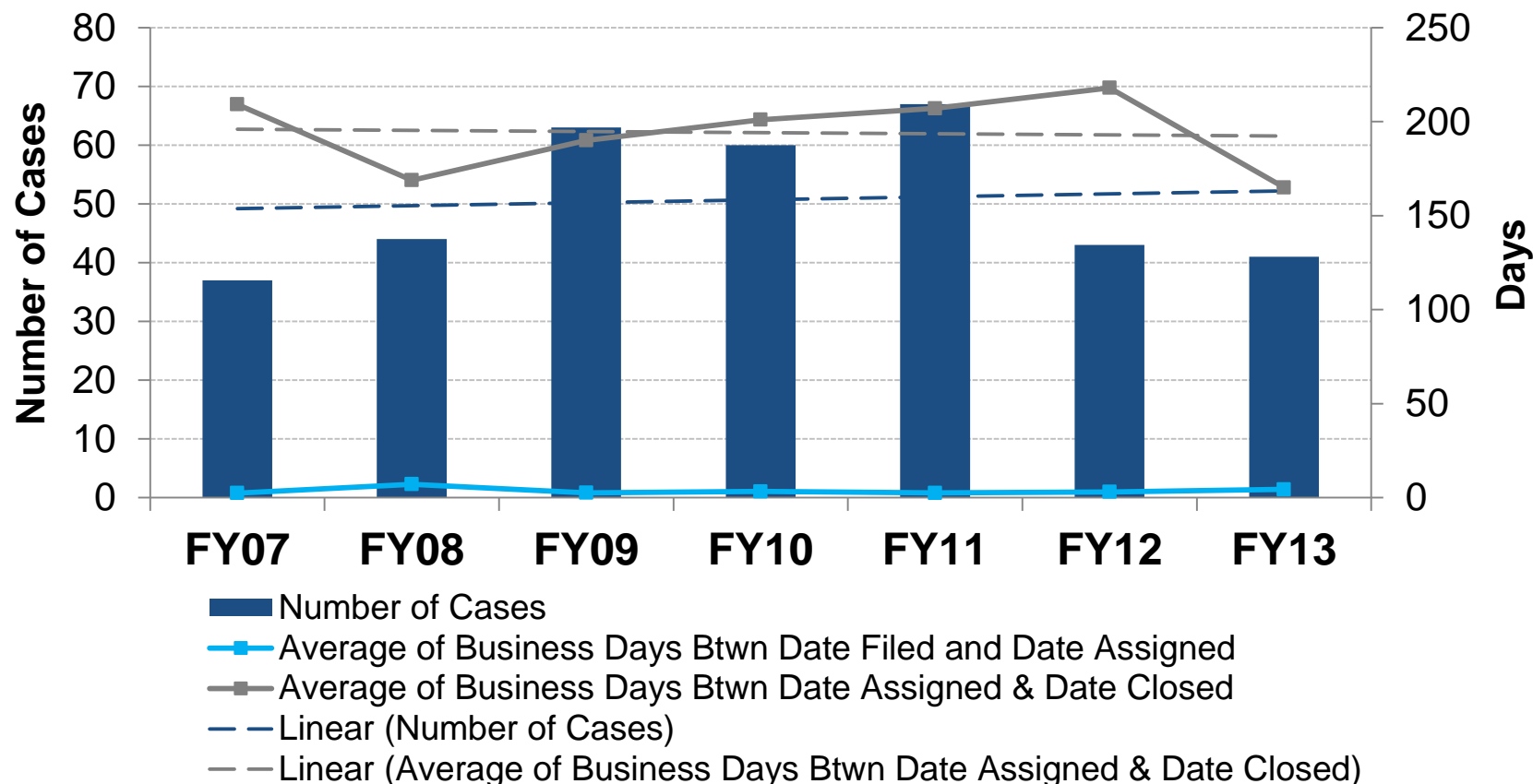
Breakdown of Complaints (1/4): CCOC-Governing Association Filed Complaints



The number of complaints filed by the Commission on Common Ownership Communities' governing association decreased 24% between FY07 and FY13, while the amount of time it takes to investigate and close the complaints increased 6.7%



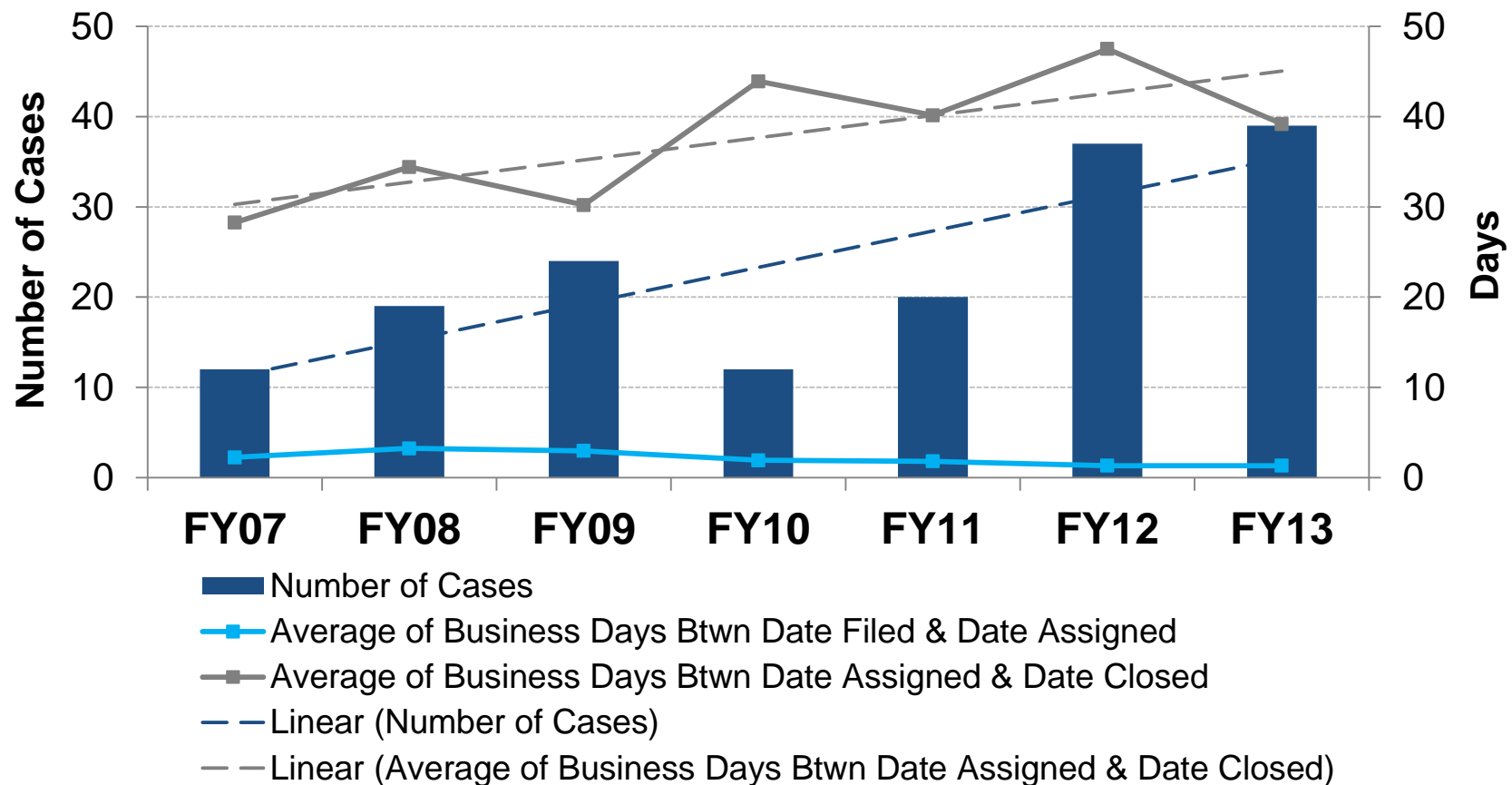
Breakdown of Complaints (2/4): CCOC-Owner/Resident Filed Complaint



The number of complaints filed by home owners in Common Ownership Communities increased 11% between FY07 and FY13, while the amount of time it takes to investigate and close a complaint decreased 21%.



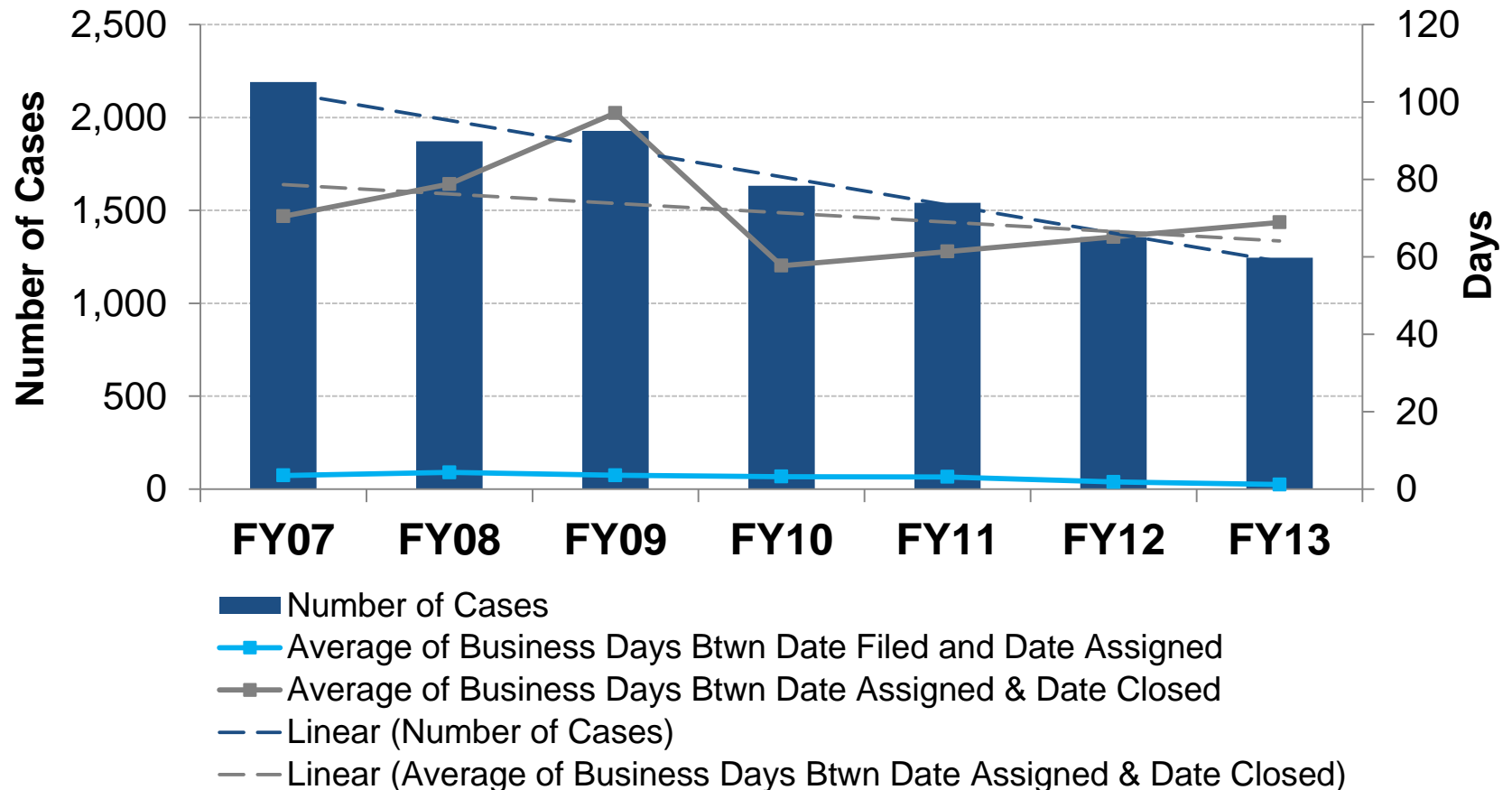
Breakdown of Complaints (3/4): Business to Business



The number of complaints filed by businesses against other businesses increased 225% from FY07 to FY13, while the amount of time to investigate and close the complaint increased 38.7%.



Breakdown of Complaints (4/4): Consumer



The number of complaints filed by consumers decreased 43% from FY07 to FY13, while the amount of time it takes to investigate and close the complaint decreased 2%.



Breakdown of Consumer Complaints: High-Volume Complaint Types FY11-FY13 (1/2)

	FY11		FY12		FY13		Cases	Avg Days
Complaint Code	Number of Cases	Average Days To Resolve	Number of Cases	Average Days To Resolve	Number of Cases	Average Days To Resolve	% Change FY11-FY13	% Change FY11-FY13
Towing – Trespass	153	63.4	170	60.3	186	51.6	↑ 22%	↓ 19%
Automotive Service (Non-Dealers)	119	70.3	101	82.6	93	85.1	↓ 22%	↑ 21%
Home Improvement Repair/Remod/Decor	109	63.2	99	69.3	81	63.1	↓ 26%	↔ -.2%
Home Improvement Unlicensed Contractors	87	72.5	73	86.0	62	103.5	↓ 29%	↑ 43%
Telecommunications (long dist., wireless, pre-paid)	84	42.5	62	57.0	61	54.5	↓ 27%	↑ 28%
Totals/Weighted Average	552	63.1	505	69.8	483	67.0	↓ 13%	↑ 6%

Trespass tow complaints have steadily increased FY11-FY13. At the same time, OCP has reduced, on average, the time it takes to investigate and close the cases.

Note: The volume of complaints does not fully explain how long it takes to investigate and close them. Each case varies in its complexity, which contributes to the amount of time it takes to investigate and close the case.



Breakdown of Consumer Complaints: High-Volume Complaint Types FY11-FY13 (2/2)

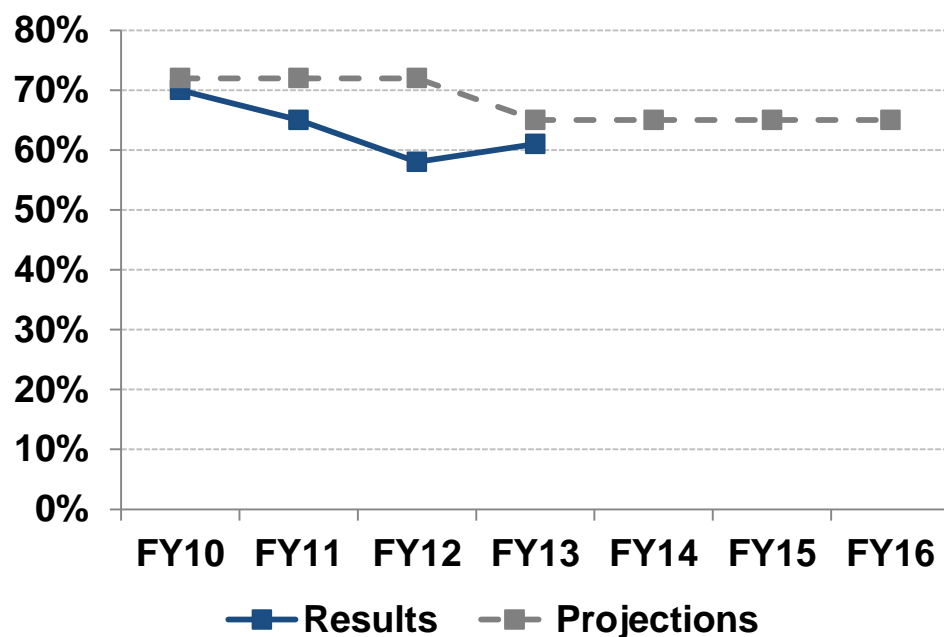
	FY11		FY12		FY13		Cases	Avg Days
Complaint Code	Number of Cases	Average Days To Resolve	Number of Cases	Average Days To Resolve	Number of Cases	Average Days To Resolve	% Change FY11-FY13	% Change FY11-FY13
Retail Stores	78	49.8	62	57	61	54.5	↓ 22%	↑ 9%
Miscellaneous	75	122	26	34.0	27	81.1	↓ 64%	↓ 34%
Automotive – Service – Dealers	61	55.5	59	46.3	50	73.5	↓ 18%	↑ 32%
Collection Practices	46	33.3	40	54.5	43	50.1	↓ 7%	↑ 50%
Furniture	43	115.2	34	59.7	36	69.1	↓ 16%	↓ 40%
Totals/Weighted Average	303	75.6	221	51.4	217	63.7	↓ 28%	↓ 16%

These five high-volume complaint types have all declined FY11-FY13.

Note: The volume of complaints does not fully explain how long it takes to investigate and close them. Each case varies in its complexity, which contributes to the amount of time it takes to investigate and close the case.



Headline Measure 5: Percent Of OCP-Initiated Consumer Protection Cases Closed That Are Resolved By OCP (1/2)



Factors Restricting Performance

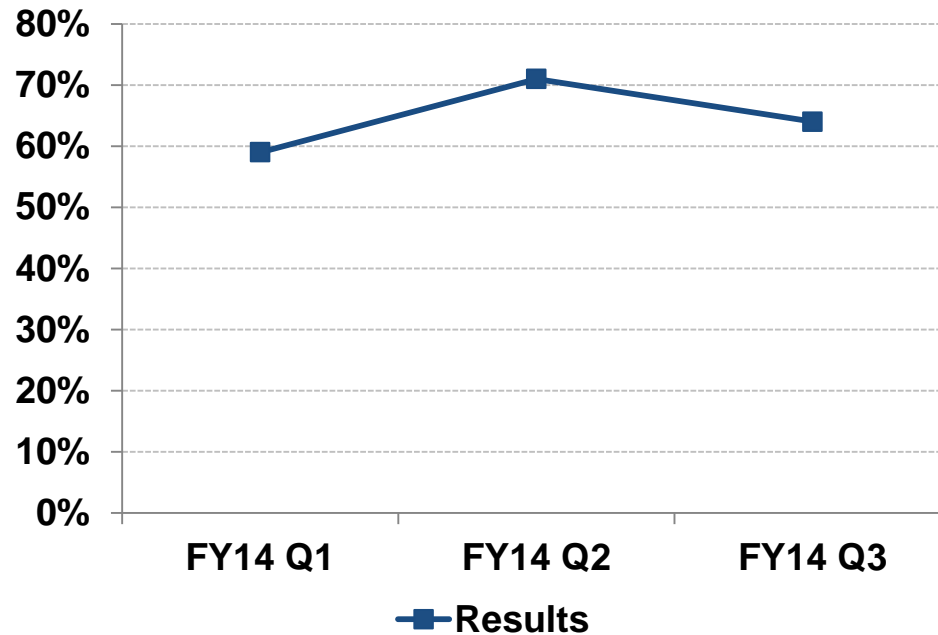
- Enactment of state towing laws has complicated an already complex transaction.
- Merchants continue to have limited resources for settling claims where there are no violations of the law.
- Impound towing complaints continue to grow. These cases are highly frustrating and emotionally charged complaints, and resolution to the consumer's satisfaction is difficult to obtain. The towing law anticipates that aggrieved consumers will seek restitution in court.

Performance Improvement Plan

- OCP's administrator will continue to work with staff to identify and improve investigative techniques.
- OCP's cases are being reviewed to create a system that will better target repeat offenders and effectively utilize institutional case knowledge.
- OCP will continue to collaborate with other regulatory agencies including the State's Attorney, Department of Labor, Licensing, and Regulation, and the Maryland Attorney General's Office to promote joint investigations and to exchange information which may enable OCP to resolve certain cases with emphasis on senior and towing issues.



Headline Measure 5: Percent Of OCP-Initiated Consumer Protection Cases Closed That Are Resolved By OCP (2/2)

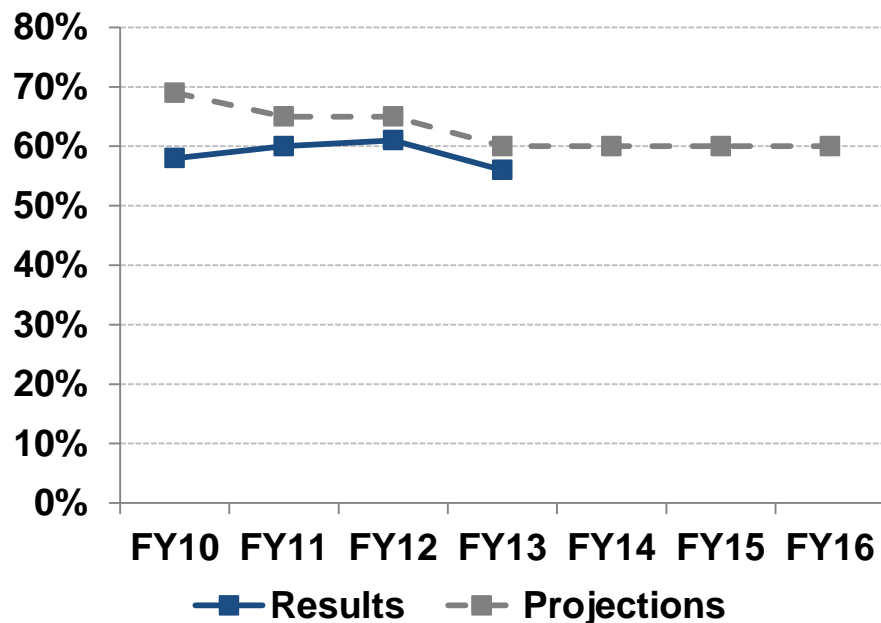


	FY14 Q1	FY14 Q2	FY14 Q3
Results	59%	71%	64%

While the percent of cases closed that are resolved by OCP increased 5% between FY12 and FY13, it is still down 13% from FY10.



Headline Measure 6: Percent Of Commission On Common Ownership Communities (CCOC) Cases Resolved Prior To A Hearing (1/2)



Factors Restricting Performance Improvement

- Mediation services continue to be strictly voluntary; CCOC cannot require parties to participate in mediation.
- Staff does not have time to arrange all the mediations in a timely fashion and there is a bottleneck.

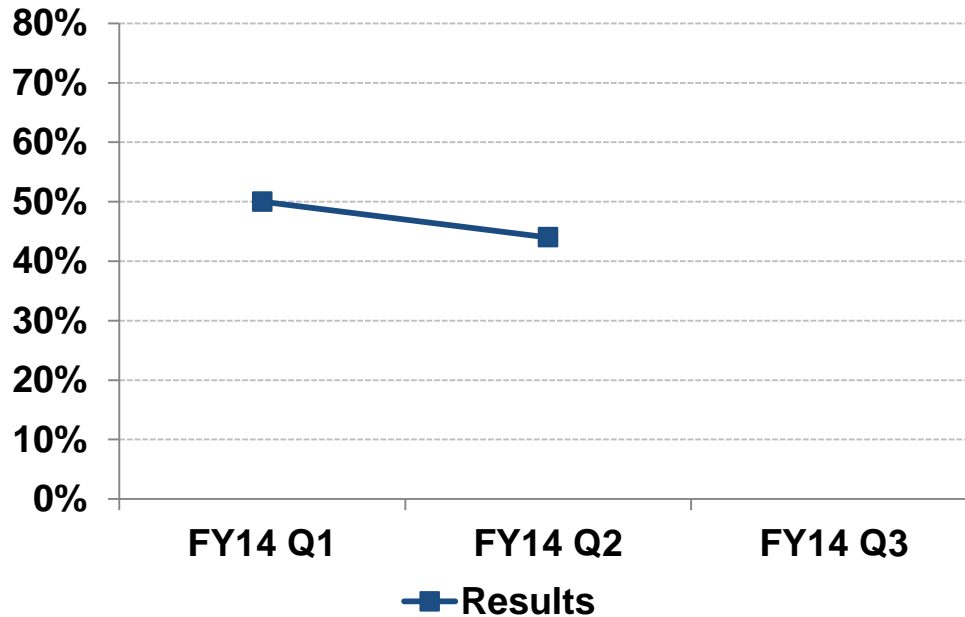
Performance Improvement Plan

- CCOC is currently in the process of producing two day seminars for proper board management.

	FY10	FY11	FY12	FY13	FY14	FY15	FY16
Results	58%	60%	61%	56%			
Projections	69%	65%	65%	60%	60%	60%	60%



Headline Measure 6: Percent Of Commission On Common Ownership Communities (CCOC) Cases Resolved Prior To A Hearing (2/2)

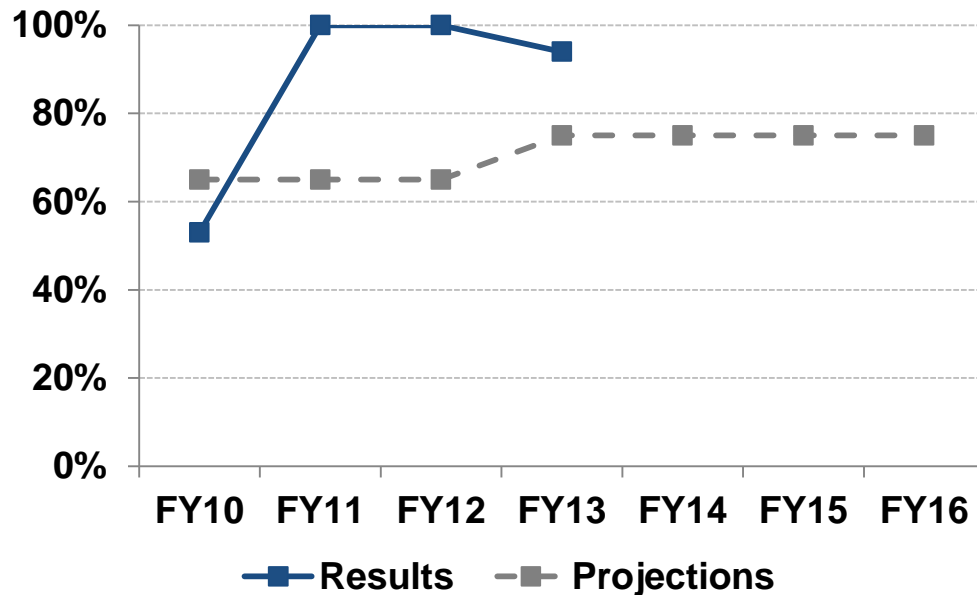


	FY14 Q1	FY14 Q2	FY14 Q3
Results	50%	44%	

The percent of CCOC cases resolved prior to a hearing decreased 8% between FY12 and FY13.



Headline Measure 7: Media Coverage - Percent Of News Releases Receiving Media Coverage, Including Print News, Television And Radio (1/2)



Factors Restricting Performance Improvement

- OCP is only now recovering from staff reductions and staff is assigned multiple roles.

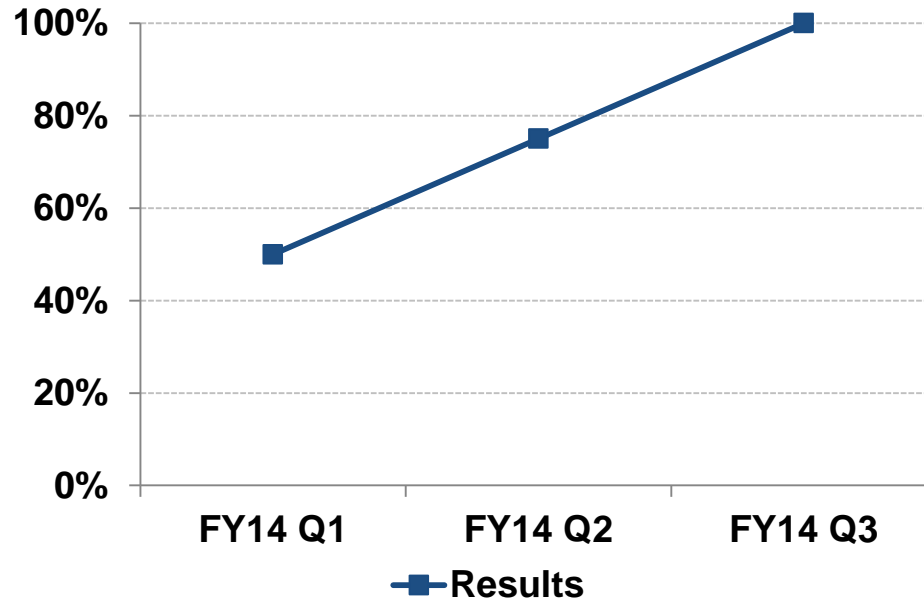
Performance Improvement Plan

- OCP will continue to integrate various media resources in its overall campaign.
- OCP projects that it will transition to the county's new web pages in FY14.

	FY10	FY11	FY12	FY13	FY14	FY15	FY16
Results	53%	100%	100%	94%			
Projections	65%	65%	65%	75%	75%	75%	75%



Headline Measure 7: Media Coverage - Percent Of News Releases Receiving Media Coverage, Including Print News, Television And Radio (2/2)

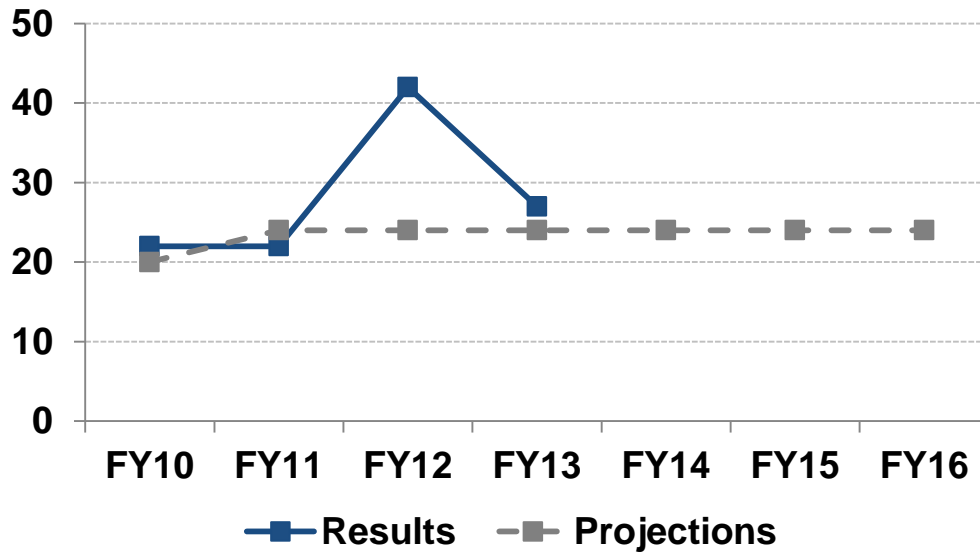


	FY14 Q1	FY14 Q2	FY14 Q3
Results	50%	75%	100%

The percent of news releases receiving media coverage decreased 6% between FY12 and FY13.



Headline Measure 8: Media Coverage - Number Of Times Media Outlets, Including Print News, Television And Radio, Seek Out OCP's Expertise (1/2)



Factors Restricting Performance Improvement

- OCP continues to do more with less. Staff resources are limited and OCP continues to moderate the amount of time it has available for media.

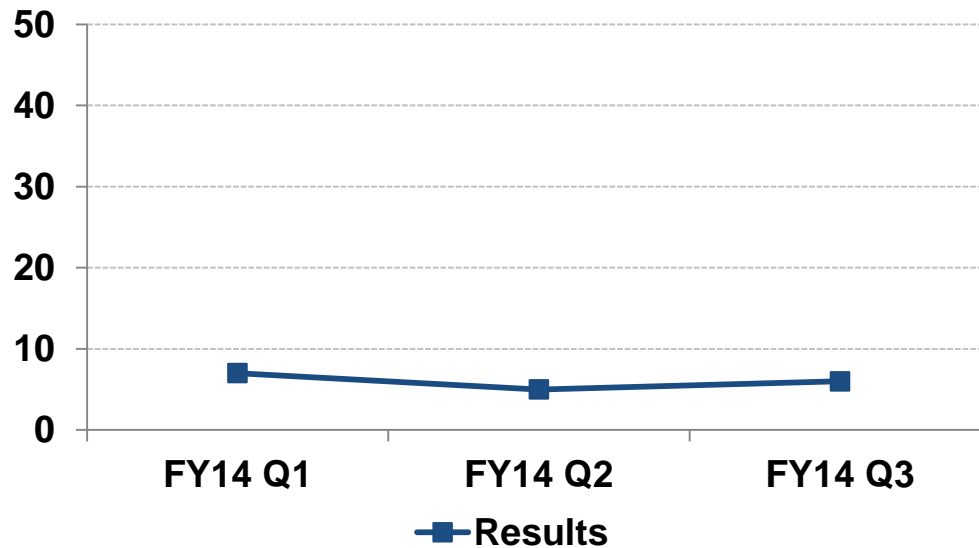
Performance Improvement Plan

- OCP's expansion of its social media initiatives will increase its media resources.

	FY10	FY11	FY12	FY13	FY14	FY15	FY16
Results	22	22	42	27			
Projections	20	24	24	24	24	24	24



Headline Measure 8: Media Coverage - Number Of Times Media Outlets, Including Print News, Television And Radio, Seek Out OCP's Expertise (2/2)



	FY14 Q1	FY14 Q2	FY14 Q3
Results	7	5	6

While the number of times media outlets seek OCP's expertise declined 36% between FY12 and FY13, it is up 23% from FY10 and FY11.



Responsive and Sustainable Leadership

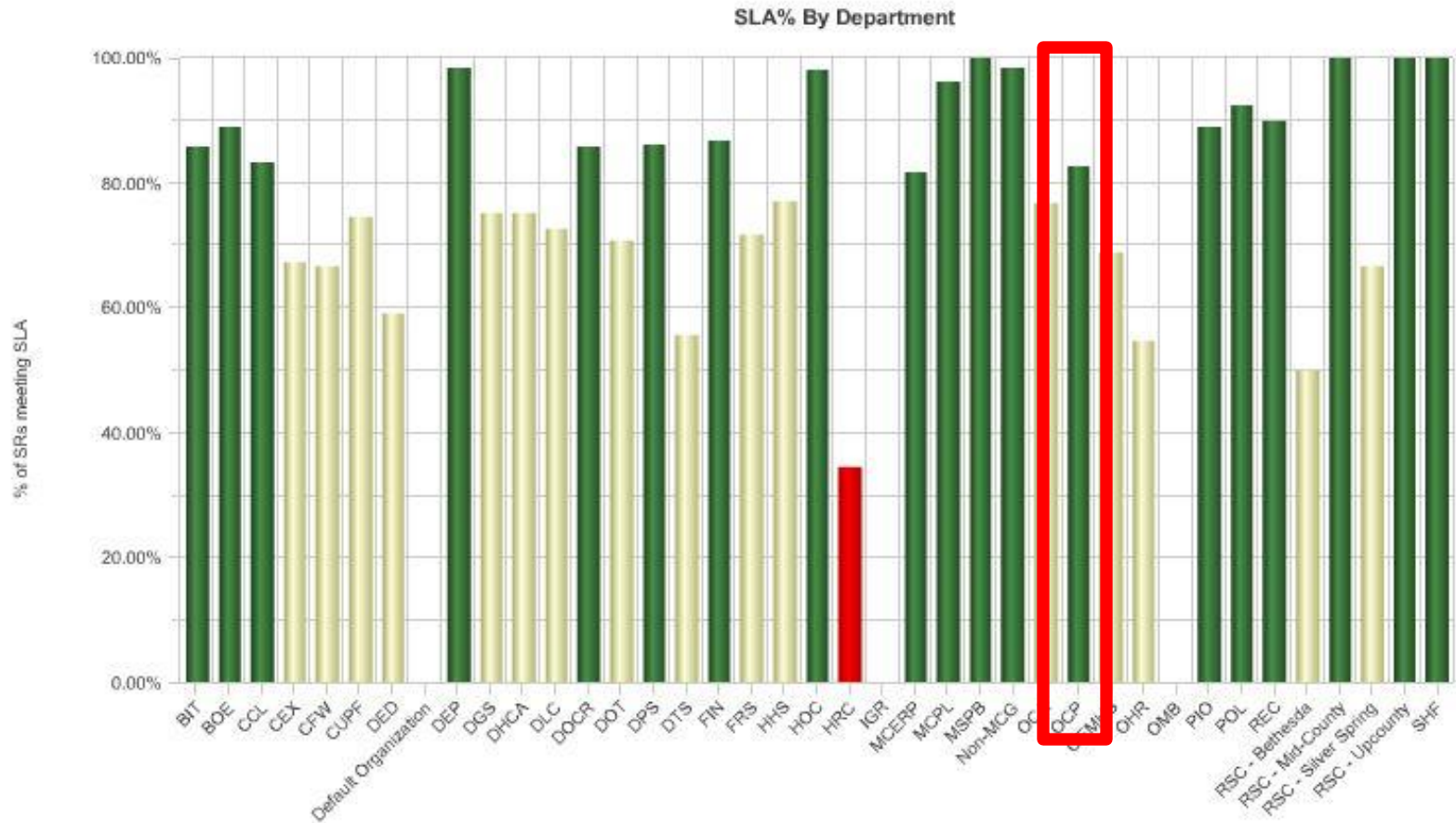
Overview of Responsive and Sustainable Leadership

<u>Area</u>	<u>Measure</u>	<u>FY12</u>	<u>FY13</u>	<u>Change</u>
Effective and Productive Use of the Workforce/ Resources	Average overtime hours worked by all full-time, non-seasonal employees	0	0	N/A
	Workforce availability for all full-time, non-seasonal employees	86%	86.4%	↔
Internal Control and Risk Management	Fully implemented audit report recommendations since issuance of the audit report	0	0	N/A
	Number of work-related injuries	0	0	N/A
Succession Planning	Percent of identified key position/ functions have developed and implemented long-term succession planning		67%	NEW
Mandatory Employee Training	% of department's employees that have fulfilled mandatory County/State/Federal training requirements	100%	100%	N/A
MFD Procurement	% of dollars awarded to MFD firms	0	0	N/A
Environmental Stewardship	Print and mail expenditures	\$7,923	\$9,224	↓
	Paper purchased	95,250	95,000	↔



311Performance

MC311 SLA Performance: July 2012 Through March 2014



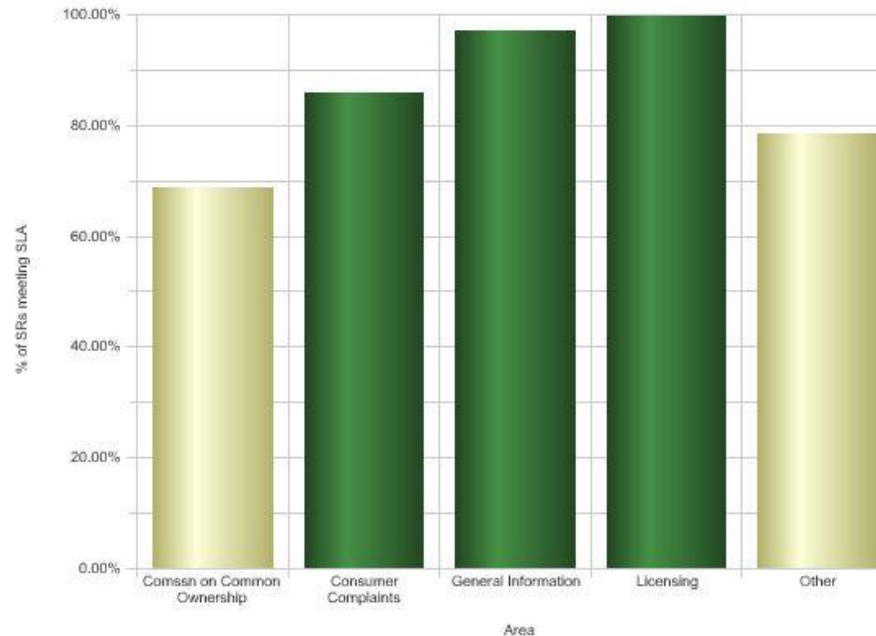
OCP met 82.63% of its SLAs for Service Requests.



Source: MC311 Siebel Dashboard. Data pulled 4/2/2014.

OCP Performance
Review

MC311 SLA Performance: July 2012 Through March 2014



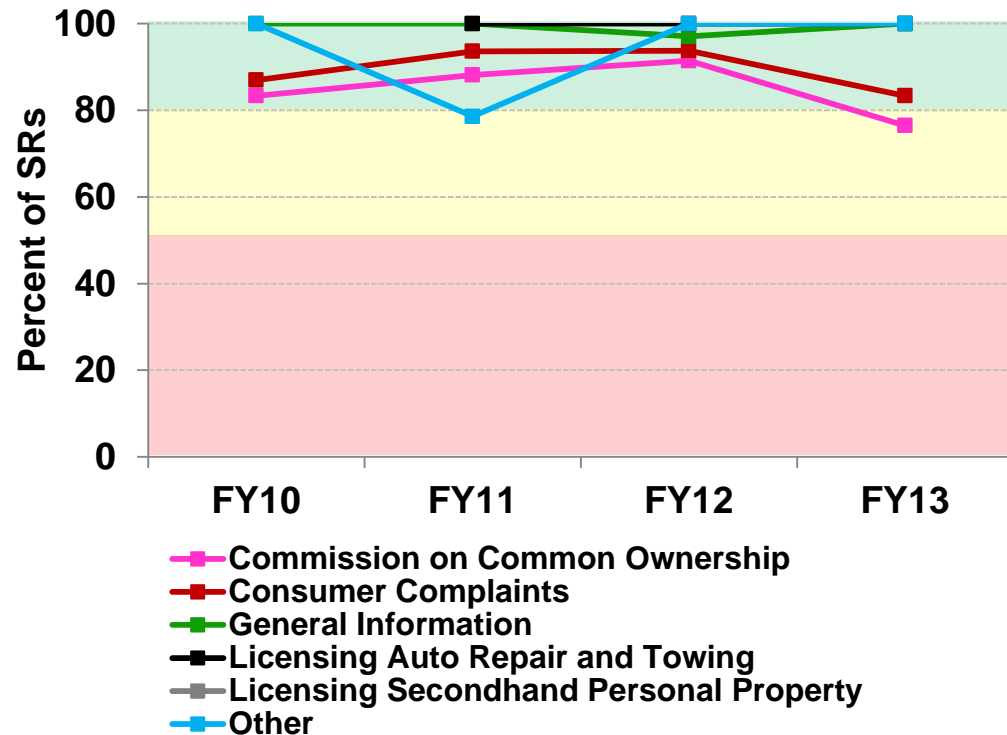
Department	Area	Sub Area	# of SRs	# of SRs meeting SLA	% of SRs meeting SLA	Oldest Open SR
OCP	Comsxn on Common Ownership		61	42	68.85%	
	Consumer Complaints		98	84	85.71%	
	General Information		34	33	97.06%	
	Licensing	Autorepair and Towing	3	3	100.00%	
		New Home Builders	1	1	100.00%	
		Secondhand Personal Property	2	2	100.00%	
	Other		14	11	78.57%	
Grand Total			213	176	82.63%	

Commission on Common Ownership met SLA 68.85% of the time, and Other met SLA 78.57%.



Source: MC311 Siebel Dashboard. Data pulled 4/2/2014.

Historic MC311 SLA Performance By Area



	FY10	FY11	FY12	FY13
Commission on Common Ownership	83.3%	88.1%	91.4%	76.5%
Consumer Complaints	87.0%	93.6%	93.8%	83.3%
General Information	100%	100%	97.1%	100%
Licensing Auto Repair and Towing	-	100%	100%	100%
Licensing Secondhand Personal Property	-	-	100%	100%
Other	100%	78.6%	100%	100%

CCOC has had the lowest SLA performance, declining 16% between FY12 and FY13.



Departmental Challenges

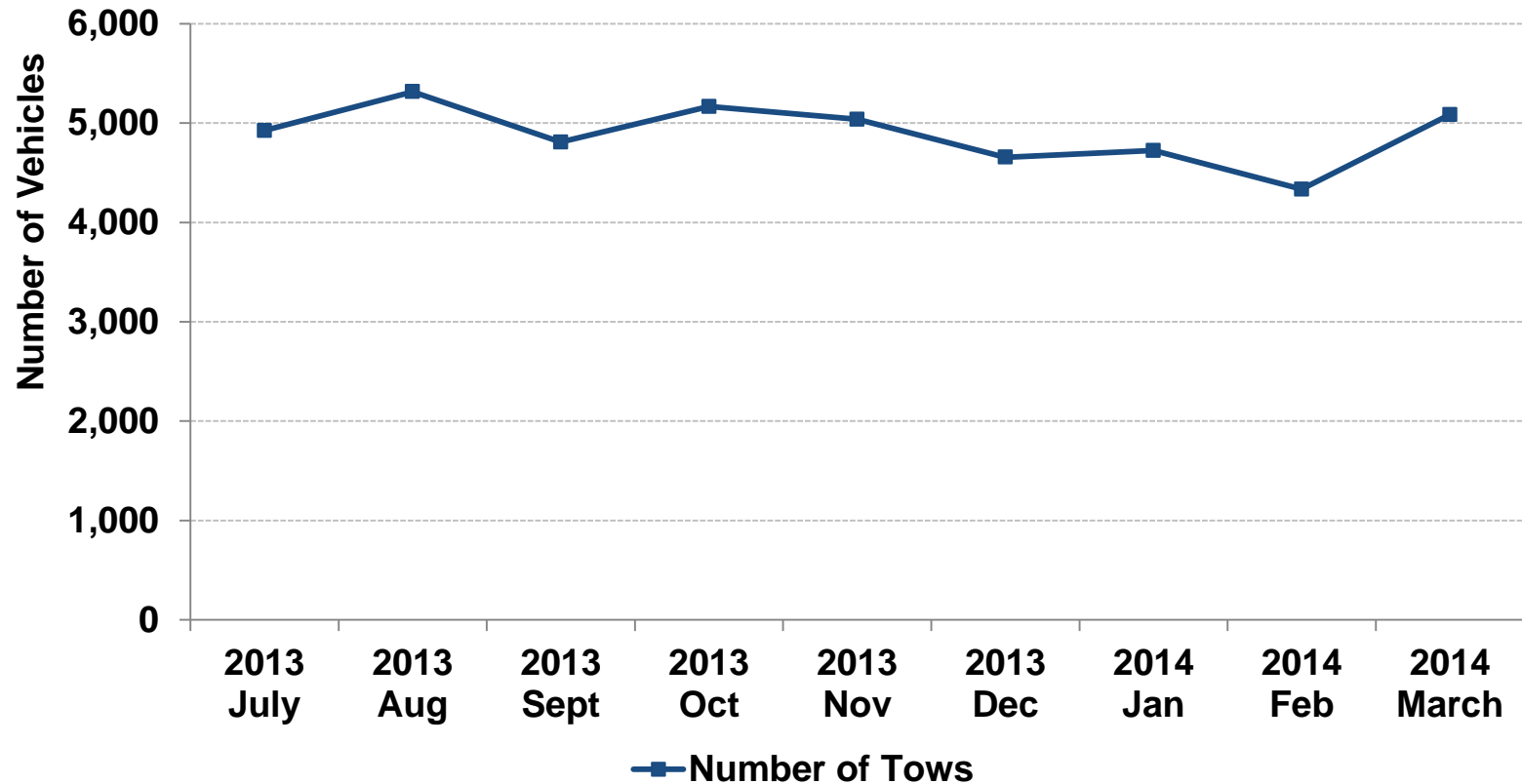
Identifying Trends and Emerging Issues: Monthly Police Tow Logs

- **Public Safety sends OCP a monthly report of all vehicles towed in the County. Each monthly report contains:**
 - Tow Number
 - Date and Time
 - Location from which it was towed
 - Descriptive information of vehicle
 - Tag number and VIN
 - Tow Company and Phone Number

Over the years, the monthly report had been sent in an HTML format, making it virtually impossible to identify trends or emerging issues. CountyStat worked with Public Safety to change the exported report format, allowing the report to be opened in Excel. CountyStat will continue to work with Public Safety to address additional OCP needs, like geo-coding of the addresses for mapping capabilities and developing a uniform data entry format for the name of the tow companies.



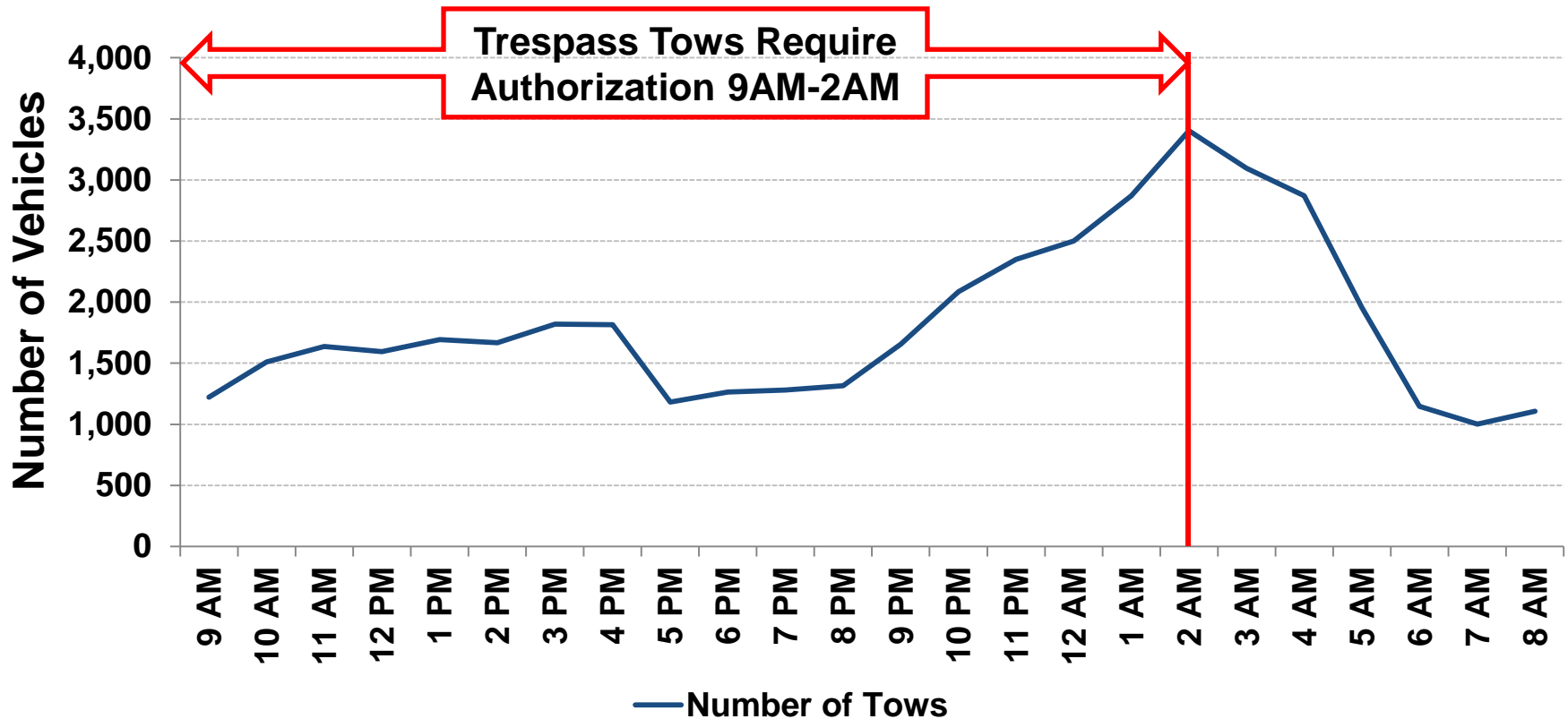
Trends: Number of Vehicles Towed Per Month FY14 Q1-Q3



OCP will now be able to monitor monthly, quarterly, and year over year trends in the volume of vehicles towed.



Trends: Number of Vehicles Towed By Time of Day FY14 Q1-Q3



Private property trespass tows require authorization from the property owner or manager between 9:00 AM and 2:00 AM. The number of complaints filed about trespass tows increased 22% between FY11 and FY13.



FY14 Q1-Q3 Number of Tows Between 9:00 AM and 2:00 AM: High-Volume Tow Locations

Address	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Jan 2014	Feb 2014	March 2014	Total
7720 WISCONSIN AVE	52	40	48	42	53	33	37	58	60	448
414 HUNGERFORD DR	23	60	64	36	68	30	7	26	23	337
544 N FREDERICK AVE	-	245	16	-	-	-	-	-	-	261
1407 EAST WEST HWY	42	35	46	25	12	25	16	6	7	254
340 N SUMMIT AVE	8	9	14	13	15	16	17	9	15	240
8627 FENTON ST	25	36	22	15	23	27	30	21	28	238
4101 POSTGATE TER	18	16	21	27	23	27	21	11	10	174
Total	168	441	231	158	194	158	128	131	143	1752
Percent of Total for Month	5.41%	12.52%	7.62%	4.98%	5.72%	5.10%	4.06%	4.46%	4.28%	6.09%

The number of complaints filed that involve trespass tows increased 22% between FY11 and FY13, while the amount of time to investigate and close the complaints decreased 19%. Additional information provided by Police in the monthly tow logs would assist OCP in quickly identifying unauthorized tows. CountyStat is assisting OCP in requesting this information.



OCP's Interest In Surveying Businesses

- **Having access to and/or developing a database of Montgomery County businesses would enable OCP to send out surveys for feedback**
 - **Available Data: dataMontgomery datasets**
 - **Food Inspection**
 - Contains the names and addresses of all restaurants, convenience stores that prepare food, and delis (including delis located within grocery stores)
 - **Contracts**
 - Contains the names and address of all vendors that have contracted with the County to provide services

The dataMontgomery portal is a great source, with an ever-growing list of datasets, that could assist OCP's efforts to reach out to and get feedback from local businesses.



Wrap-up

- Follow-up items

